



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/595,149	03/06/2006	Ralf Neise	PIERBU0019	3368
24203	7590	08/17/2009	EXAMINER	
GRIFFIN & SZIPL, PC SUITE PH-1 2300 NINTH STREET, SOUTH ARLINGTON, VA 22204			BACON, ANTHONY L	
			ART UNIT	PAPER NUMBER
			3747	
			MAIL DATE	DELIVERY MODE
			08/17/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/595,149

Applicant(s)

NEISE, RALF

Examiner

ANTHONY L. BACON

Art Unit

3747

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 and 11-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 11-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 March 2006 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/S508)
- Paper No(s)/Mail Date 06 March 2006.
- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application.
- 6) ☐ Other: _____.

DETAILED ACTION

Drawings

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the items listed below must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

- a cover
- a position detecting device
- connection contacts of the electric motor
- a frictional connection between the electrical conductor tracks and the connecting contacts of the motor
- how the conductor tracks are replaceable, especially with the plug
- stamped out locking projections
- second ends of the second conductor tracks providing contact to the position detecting device
- a connection to the connection contacts of the position detecting device provided by bracing the second ends of the second conductor tracks against a structural component of the position detecting device
- a potentiometer
- a potentiometer circuit board
- a sealing adhesive
- parts coated with sprayed plastic

- projections on the housing
- hot caulking of projections of the housing on the electrical conductor tracks

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show numerous elements, listed below, as described in the specification. The missing elements are:

- a cover
- a position detecting device
- connection contacts of the electric motor

- a frictional connection between the electrical conductor tracks and the connecting contacts of the motor
- conductor tracks replaceable with the plug
- stamped out locking projections
- second ends of the second conductor tracks providing contact to the position detecting device
- a connection to the connection contacts of the position detecting device provided by bracing the second ends of the second conductor tracks against a structural component of the position detecting device
- a potentiometer
- a potentiometer circuit board
- a sealing adhesive
- parts coated with sprayed plastic
- projections on the housing
- hot caulking of projections of the housing on the electrical conductor tracks

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the

appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

3. The drawings are objected to under 37 CFR 1.83(b) because they are incomplete. 37 CFR 1.83(b) reads as follows:

When the invention consists of an improvement on an old machine the drawing must when possible exhibit, in one or more views, the improved portion itself, disconnected from the old structure, and also in another view, so much only of the old structure as will suffice to show the connection of the invention therewith.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

4. Regarding figure 1, particularly how it relates to being incomplete, the Examiner will provide the following explanation such that Applicant or his Representative ("Applicant") will be able to better understand and respond to the Examiner's objection. From Applicant's disclosure, it would appear that an important part of the invention is that conductor tracks are meant to be included as part of an assembly with a plug such that the plug assembly can be varied to accommodate several manufacturer's and their specific plug requirements, thus allowing each manufacturer to designate which connector they wish to employ without requiring new molds for producing the throttle body housing. The throttle body is itself an old structure, and the conductor tracks which are replaceable with the plug may be deemed to be the "improved portion". This is not shown in any drawing where it is disconnected from the throttle body, thus not meeting the requirements of 37 CFR 1.83(b). Furthermore, Applicant seems to be taking the position that "hot caulking" is new in the art, yet Applicant's drawing does not even show where two components are hot caulked together. Further still, Applicant seems to be taking the position that "sealing adhesives" are new in the art, and again, Applicant has failed to show this feature in the drawings. Still further, Applicant seems to be taking the position that a "frictional connection" of the motor to electrical contacts

is new in the art. However, Applicant has failed to show the motor contacts, so Applicant has thus also failed to show a frictional connection. In fact, Applicant's position seems to be that each and every feature recited in the claims is a new feature or improvement, not before found in the prior art, yet Applicant, in nearly every instance has failed to meet the requirements of 37 CFR 1.83(b) by providing the appropriate drawings. For at least these reasons, the drawings are considered to be incomplete.

5. The drawing is objected to because details of the drawing are hard to discern. Overall, the drawing is too small and "fuzzy" to accurately display certain fine features with clarity. The Examiner believes that rotating the figure 90 degrees with respect to the page, and then enlarging the image would help to alleviate some of the issues, as would using finer and/or smoother lines in the actual figure. This may also help alleviate the crowding of numbers, especially 12, 13 and 22-24. This crowding further adds to the lack of clarity present in the drawing. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after

the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 1-8 and 11-18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
8. In Re claims 1, 17 and 18, Applicant has claimed wherein "...metal stampings that are connectable to the housing with interlocking, and...". However, this language is unclear because it sounds as if something is missing from the claim (i.e. "connectable to the housing with interlocking fingers"). The Examiner submits that the following would at least improve the readability of the claim: "...metal stampings that are connectable to the housing by interlocking, and..." or alternatively, "by interlocking connection". Similar language is found in claim 8 as well.
9. In Re claim 2, the term "perforation comb" is unclear. In the drawing, Applicant has called item 13 a perforation comb, however 13 points only to a single conductor track of the drawing. The specification does not provide a clear description of what a

perforation comb is. The Examiner will treat any stamped set of metal conductors connected by bridges as inherently possessing such a feature.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. **Claims 1, 3-7, 11 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer et al, US 5,672,818.**

12. **In Re claim 1**, with reference to figures 1-3, Schaefer discloses a throttle valve for an internal combustion engine comprising:

- an electric motor
- a gear unit connected to the electric motor, whereby the adjusting device is arranged in a housing that can be closed via a cover, electrical conductor tracks are arranged in the cover to connect connection contacts of the electric motor and a position detecting device to a plug of the throttle valve, wherein the connection between the electrical conductor tracks and connecting contacts of the electric motor is a frictional connection.
- wherein the electrical conductor tracks include first conductor tracks and second conductor tracks comprising metal stampings that are connectable to the housing with interlocking and these stampings have a defined shape.

13. See at least column 2, line 33 to column 7, line 45.

14. Regarding the limitations “arranged in a housing” and “whereby the conductor tracks are replaceable with the plug”, the Examiner notes that the conductor tracks are arranged in the cover, which in Schaefer makes up part of the housing. Furthermore, in as much as the cover contains the plug portion and can be separated from the main housing portion, it is thus replaceable, and the conductor tracks are thus also replaceable with the plug.

15. Regarding the term “interlocking”, the Examiner submits that interlocking is defined as “to lock one with another” according to dictionary.com, thus the conductor tracks of Schaefer are considered to be interlocking with the housing.

16. **In Re claim 3**, Schaefer further discloses wherein the respective first ends of the electrical conductor tracks lead to the plug. As much as the conductors are insert-molded into the cover, they are coated with sprayed plastic.

17. **In Re claim 4**, Schaefer further discloses wherein first ends of the electrical connector tracks lead to the plug, and an electrical contact to the pins is provided via a press connection. The press connection is provided by the electrical connector to the ECU when the pins of the plug are pressed into the mating receptacles of the connector.

18. **In Re claim 5**, Schaefer further discloses that the second ends of the first conductor tracks provide contact to the motor and are plugged into receptacle pockets of the housing, where the second ends provide a frictional connection to the connecting lugs of the motor.

19. **In Re claim 6**, Schaefer further discloses that the second ends of the second conductor tracks provide contact to the position detecting device and are shaped so that a connection to the connection contacts of the position detecting device is provided by bracing the second ends of the of the second conductor tracks against a structural component of the position detecting device.

20. **In Re claim 7**, Schaefer further discloses wherein the position detecting device is a potentiometer and the respective second ends of the second conductor tracks providing contact to the potentiometer are shaped so that a connection to arm tracks of the potentiometer is produced by bracing end pieces of the second ends of the second conductor tracks against a potentiometer circuit board.

21. **In Re claims 11 and 14-16**, Schaefer further discloses a seal between the cover and main housing for keeping out contaminants. The use of sealing adhesives for this purpose are well known to those skilled in the art. Furthermore, the application of a seal to any location where sealing is desired is well known, thus it would have been obvious to one of ordinary skill in the art to apply sealing adhesives to any one of the locations claimed, including the electrical conductor tracks, in the area of the connection between the pins of the plug and the electrical conductor tracks or the electrical conductor tracks and in the area of the connection between the pins of the plug and the electrical conductor tracks, for purposes of providing protection from contaminants, especially in the engine compartment of a vehicle.

22. **Claims 2, 8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer et al ('818) as applied to claim 1 above, further in view of Bender, US 6,478,012.**

23. **In Re claim 2**, Schaefer further discloses wherein the electrical conductor tracks further comprise a perforation comb, and individual conductor tracks are connected via bridges, and wherein each connection is severed through a stamping process. Schaefer lacks wherein the connections are severed after the perforation comb has been placed in the housing.

24. However, Bender, with reference to figures 2 and 3, teach conductor tracks which are held together by webs or bridges, wherein the conductor tracks are insert-molded into a plastic housing, and then the webs are severed to give electrically separate current paths. See at least column 3.

25. It would have been obvious to one of ordinary skill in the art at the time the invention was made to sever the webs after the perforation comb has been inserted in the housing as taught by Bender in the system of Schaefer because all the elements are known in the prior art and one of ordinary skill in the art could combine them by known methods, without changes in their respective functions, and the combination would have yielded predictable results to one of ordinary skill.

26. **In Re claim 8**, In as much as Schaefer molds the conductor tracks to the cover to provide an interlocking connection, they must necessarily include being interlocked in the region of the respective ends of the electrical conductor tracks and corresponding bridges.

27. **In Re claim 12**, Schaefer further discloses wherein the respective first ends of the electrical conductor tracks lead to the plug. As much as the conductors are insert-molded into the cover, they are coated with sprayed plastic.

28. **In Re claim 13**, Schaefer further discloses wherein first ends of the electrical connector tracks lead to the plug, and an electrical contact to the pins is provided via a press connection. The press connection is provided by the electrical connector to the ECU when the pins of the plug are pressed into the mating receptacles of the connector.

29. **Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer et al ('818) in view of Zdanys, Jr. et al, US 5,684,407 [Zdanys].**

30. **In Re claim 17**, with reference to figures 1-3, Schaefer discloses a throttle valve for an internal combustion engine comprising:

- an electric motor
- a gear unit connected to the electric motor, whereby the adjusting device is arranged in a housing that can be closed via a cover, electrical conductor tracks are arranged in the cover to connect connection contacts of the electric motor and a position detecting device to a plug of the throttle valve, wherein the connection between the electrical conductor tracks and connecting contacts of the electric motor is a frictional connection.
- wherein the electrical conductor tracks include first conductor tracks and second conductor tracks comprising metal stampings that are connectable to the housing with interlocking and these stampings have a defined shape.

- wherein the electrical conductor tracks further comprise a perforation comb, and individual conductor tracks are connected via bridges, and wherein each connection is severed through a stamping process.

31. See at least column 2, line 33 to column 7, line 45.

32. Regarding the limitations “arranged in a housing” and “whereby the conductor tracks are replaceable with the plug”, the Examiner notes that the conductor tracks are arranged in the cover, which in Schaefer makes up part of the housing. Furthermore, in as much as the cover contains the plug portion and can be separated from the main housing portion, it is thus replaceable, and the conductor tracks are thus also replaceable with the plug.

33. Regarding the term “interlocking”, the Examiner submits that interlocking is defined as “to lock one with another” according to dictionary.com, thus the conductor tracks of Schaefer are considered to be interlocking with the housing.

34. Schaefer lacks wherein the stamping process is completed after the perforation comb has been placed in the housing, wherein the electrical conductor tracks are fixed to the housing by interlocking in the area of respective of the electrical conductor tracks and corresponding bridges, and wherein bridges of the perforation combs engage in recesses on the housing so as to provide interlocking connection.

35. However, Zdanys, with reference to figures 7 and 9, discloses a stamped conductor track having a having a bridge that is severed in order to separate the individual tracks, wherein projections formed on the tracks are inserted in a recess of a second structure, in this case a circuit board, and then are manipulated in such a

manner as to provide an interlocking engagement with the board. One of ordinary skill in the art would recognize that the bridges could be properly severed to create the protrusions for interlocking engagement of the conductor tracks with a secondary structure. Refer to the drawing presented in the first Office Action. See at least column 4, lines 31-60.

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an interlocking engagement with recesses formed in a housing because the bridges of Zdanys could be used to create tabs for the engagement, and Zdanys teaches a method of connecting the tracks to a structure by having tabs engaging a recess to create an interlocking connection, and the application of this known technique to the system of Schaefer would require only routine skill in the art.

37. **Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schaefer et al ('818) in view of Hayashida, US 6,622,698 [Hayashida].**

38. **In Re claim 18**, with reference to figures 1-3, Schaefer discloses a throttle valve for an internal combustion engine comprising:

- an electric motor
- a gear unit connected to the electric motor, whereby the adjusting device is arranged in a housing that can be closed via a cover, electrical conductor tracks are arranged in the cover to connect connection contacts of the electric motor and a position detecting device to a plug of the throttle valve, wherein

the connection between the electrical conductor tracks and connecting contacts of the electric motor is a frictional connection.

- wherein the electrical conductor tracks include first conductor tracks and second conductor tracks comprising metal stampings that are connectable to the housing with interlocking and these stampings have a defined shape.

39. See at least column 2, line 33 to column 7, line 45.

40. Regarding the limitations “arranged in a housing” and “whereby the conductor tracks are replaceable with the plug”, the Examiner notes that the conductor tracks are arranged in the cover, which in Schaefer makes up part of the housing. Furthermore, in as much as the cover contains the plug portion and can be separated from the main housing portion, it is thus replaceable, and the conductor tracks are thus also replaceable with the plug.

41. Regarding the term “interlocking”, the Examiner submits that interlocking is defined as “to lock one with another” according to dictionary.com, thus the conductor tracks of Schaefer are considered to be interlocking with the housing.

42. Schaefer lacks wherein the interlocking connection takes place through hot caulking of projections of the housing on the electrical conductor tracks.

43. However, Hayashida, with reference to figure 1, discloses a cover for a throttle body main housing wherein electrical conductors are caulked to the cover to provide an interlocking connection. See at least column 4, line 59 to column 7, line 17.

44. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide an interlocking connection of an electrical conductor

track to a housing component of a throttle body by caulking as taught by Hayashida in the system of Schaefer because all the elements are known in the prior art, and one of ordinary skill in the art could combine them by known methods without changes to their respective functions, and the combination would have yielded predictable results to one of ordinary skill.

Response to Arguments

45. Applicant's arguments with respect to claims 1-8 and 11-18 have been considered but are moot in view of the new ground(s) of rejection.

46. Regarding that the Examiner failed to indicate that the International Search report had not been indicated as considered, the Examiner has resubmitted the IDS, indicating that all the material has been considered.

47. Regarding the argument that the Examiner has not explained his opinion on the deficiencies of the drawings, note the objections to the drawings at the beginning of this Office Action.

48. Regarding the taking of Official Notice. Applicant has cited *In Re Lee*, 61 USPQ2d 1430, 1433 (Fed. Cir. 2002) and *In Re Zurko*, 59 USPQ2d 1693, 1697 (Fed. Cir. 2001). Applicant's understanding and application of this case law is flawed. *In Re Zurko* states that "Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known."

49. The Examiner asserts that the reference to Hayashida discloses the use of a conductor track in a throttle body assembly wherein the conductor tracks are attached to the housing by caulking. Hot caulking is clearly a form of caulking, and as such, the Examiner believes that an unquestionable demonstration of the subject matter sought to be patented has been known previously in the art. Thus, the Official Notice that hot caulking of components to join them together was **NOT** improper. Furthermore, the citation of the Hayashida reference is submitted as sufficient evidentiary support for hot caulking.

50. The Examiner also asserts that it is clear from figure 1 of Schaefer that a seal (34) has been applied between two housing components. The purpose of a seal is typically to keep out contaminants, though this isn't explicitly stated by Schaefer, one of ordinary skill in the art would recognize its function in this capacity. Still, Applicant does not seem likely to accept even this basic premise without at least some support. Therefore, the Examiner submits the following for consideration. Ishihara, US 6,005,473, discloses a rotary operation variable resistor wherein a sealing adhesive is applied between a lid and a case to prevent extraneous materials from entering the case, such as dust and dirty water. The Examiner believes this to be an unquestionable demonstration that the subject matter sought be patented was known previously in the art. Thus the Official Notice that sealing adhesives and their application to desired locations was **NOT** improper.

51. In both instances the Examiner believes that supporting documentation has been provided in order to satisfy the request of Applicant.

Response to Amendment

52. Applicant has filed three affidavits with the response filed on 11 May 2009.
53. Regarding Exhibits 1 and 2, relating to the WIPO publication of the instant application with the underlined word and the web page presented with a proper translation of that word, the amendment is appreciated for correcting a translation problem without raising a question as to whether or not the amendment to the specification contains new matter. However, this amendment still does not overcome the Examiner's rejections of the claims as presented, because applicant has not provided a special definition of "interlocking", thus the references presented in this Office Action meet the claimed limitations.
54. Regarding Exhibit 3, relating to a definition of the word housing, the Examiner has considered the entry as requested by Applicant. However, the definition requested by Applicant does not overcome the Examiner's rejections of the claims as presented, because the cited references include conductor tracks mounted in a housing of a throttle body.

Conclusion

55. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bender, US 6,259,184, discloses a mounting plate of a throttle valve housing which may provide the plug as a second, separate component such that the plug can be changed or selected to accommodate different manufacturers.
56. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **ANTHONY L. BACON** whose telephone number is (571)270-5623. The examiner can normally be reached on Mon-Fri, 8:00am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen K. Cronin can be reached on (571)272-4536. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ANTHONY L. BACON/
Examiner, Art Unit 3747

/Stephen K. Cronin/
Supervisory Patent Examiner, Art Unit 3747